

Please type a plus sign (+) inside this box -

A  
JC540 U.S. PTO  
09/185318  
11/03/98

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**  
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	2978.1US	
First Inventor or Application Identifier		Reichert et al.
Title	COMPOSITE WAVEGUIDE FOR SOLID PHASE BINDING ASSAYS	
Express Mail Label No.		EL206386163US

**APPLICATION ELEMENTS**

See MPEP Chapter 600 concerning utility patent application contents

ADDRESS TO:  
Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

- Fee Transmittal Form  
*(Submit an original, and a duplicate for fee processing)*
- Specification Total Pages 40  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross References to related Applications
  - Statement Regarding Fed Sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (*if filed*)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- Drawing(s) (35 USC 113) Total Sheets 25
- Oath or Declaration Total Pages 8
- Newly executed (original or copy)
- Copy from a prior application (37 CFR 1.63(d))  
*(For continuation/divisional with Box 17 completed)  
(Note Box 5 below)*
- DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Incorporation By Reference (*useable if Box 4b is checked*)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

- Microfiche Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - Computer Readable Copy
  - Paper Copy (identical to computer copy)
  - Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

- Assignment Papers (cover sheet & document(s))
  - 37CFR 3.73(b) Statement  Power of Attorney  
*(when there is an assignee)*
  - English Translation Document (*if applicable*)
  - Information Disclosure  Copies of IDS Statement (IDS/PTO-1449) Citations
  - Preliminary Amendment
  - Return Receipt Postcard (MPEP 503)
  - Small Entity  Statement filed in prior application, Statement(s) Status still proper and desired
  - Certified Copy of Priority Document(s)  
*(If foreign priority is claimed)*
  - Other: Statement Per Rule 53(b)(2) To Add Inventor . . . . .
- \*A new statement is required to be entitled to pay small entity fees, except where one has been filed in a prior application and is being relied upon.

## 17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

Continuation  Divisional  Continuation-in-part (CIP) of prior Application No. 08/705,893 (now U.S. Patent 5,832,165)

Prior application information: Examiner J. Ngo Group/Art Unit: 2874**18. CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Label				or <input checked="" type="checkbox"/> Correspondence address below	
NAME	Allen C. Turner				
	TRASK, BRITT & ROSSA				
ADDRESS	P.O. Box 2550				
CITY	Salt Lake City	STATE	Utah	ZIP CODE	84110
COUNTRY	U.S.A.	TELEPHONE	(801) 532-1922		FAX (801)531-9168
Name (Print/Type)	<u>Allen C. Turner</u>			Registration No. (Attorney/Agent)	33,041
Signature	<u>Allen C. Turner</u>			Date	<u>11/3/98</u>

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1.

These are the fees effective October 1, 1997.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.

TOTAL AMOUNT OF PAYMENT (\$ 395.00)

Complete if Known

Application Number	
Filing Date	November 3, 1998
First Named Inventor	W. Monty Reichert
Examiner Name	J. Ngo
Group / Art Unit	2874
Attorney Docket No.	2978.1US

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 20-1469  
Deposit Account Name TRASK, BRITT & ROSSA

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2.  Payment Enclosed:

Check  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	790	201	395	Utility filing fee	395
106	330	206	165	Design filing fee	
107	540	207	270	Plant filing fee	
108	790	208	395	Reissue filing fee	
114	150	214	75	Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>				<b>395</b>	

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
5	-20**	= 0	X = -0-
Independent Claims	1	- 3**	= 0
Multiple Dependent			

\*\*or number previously paid, if greater; For Reissues, see below

## Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	22	203 11 Claims in excess of 20
102	82	202 41 Independent claims in excess of 3
104	270	204 135 Multiple dependent claim, if not paid
109	82	209 41 ** Reissue independent claims over original patent
110	22	210 11 ** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>		

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	950	217	475	Extension for reply within third month	
118	1,510	218	755	Extension for reply within fourth month	
128	2,060	228	1,030	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,320	241	660	Petition to revive - unintentional	
142	1,320	242	660	Utility issue fee (or reissue)	
143	450	243	225	Design issue fee	
144	670	244	335	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	
149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) \_\_\_\_\_

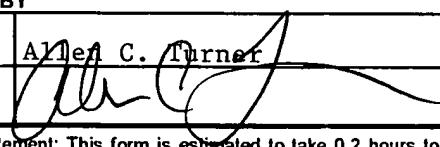
Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Typed or Printed Name Allen C. Turner

Signature 

Complete (if applicable)

Reg. Number 33,041

Date 11/3/98 Deposit Account User ID 20-1469

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PATENT

JC540 U.S. PTO  
09/185318  
11/03/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:**

Reichert et al.

**Serial No.:** To be assigned

**Filed:** November 3, 1998

**For:** COMPOSITE WAVEGUIDE FOR  
SOLID PHASE BINDING ASSAYS

**Examiner:** J.Ngo

**Group Art Unit:** 2874

**Attorney Docket No.:** 2978.1US

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label  
Number: EL 206 386 16315

Date of Deposit with USPS: November 3, 1998

Person making Deposit: Jared Turner

**STATEMENT PER RULE 53(b)(2) TO ADD INVENTOR**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The following is a list of inventors for the continuation application referenced above:

W. Monty Reichert

James N. Herron

Douglas A. Christensen

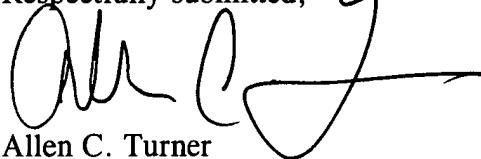
Hsu-Kun Wang

Jacob D. Durtschi

Attorney Docket: 2978.1US

Jacob D. Durtschi is to be included as an inventor. An unsigned Declaration is enclosed. A signed Declaration for Patent Application (With Power of Attorney) will follow.

Respectfully submitted,



Allen C. Turner  
Registration No. 33,041  
Attorney for Applicants  
TRASK, BRITT & ROSSA  
P. O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: (801) 532-1922

Date: November 3, 1998

ACT/le

N:\0274.02\2978.1\2978-1.statement.wpd